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A/Plan

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PLANT PATENT APPLICATION TRANSMITTAL (Only for new nonprovisional applications under 37 C.F.R. § 1.53(b))	Attorney Docket No.	9197.01
	First Inventor or Application Identifier	Asdoorian, Alan
	Title	Island Prince
	Express Mail Label No.	EL572269325US

ADDRESS TO: Assistant Commissioner for Patents Box Patent Application Washington, DC 20231

APPLICATION ELEMENTS	ACCOMPANYING APPLICATION PARTS
See MPEP chapters 600 & 1600 concerning plant patent application contents.	
1. <input checked="" type="checkbox"/> * Fee Transmittal Form (e.g., PTO/SB/17) (Submit an original, and a duplicate for fee processing)	5. <input type="checkbox"/> Plant Color Coding Sheet
2. <input checked="" type="checkbox"/> Specification [Total Pages <input]<br="" type="text" value="6"/> (2 copies required - 37 C.F.R. § 1.163(b) (preferred arrangement set forth below) <ul style="list-style-type: none"> - Descriptive title of the invention (with Plant's name) - Cross References to Related Applications - Statement Regarding Fed sponsored R & D - Background of the Invention - Brief Summary of the Invention - Brief Description of the Drawings - Detailed Botanical Description - Claim (only one (1) permitted MPEP 1605) - Abstract of the Disclosure 	6. <input type="checkbox"/> Assignment Papers (cover sheet & document(s))
3. <input checked="" type="checkbox"/> Color drawing(s) [Total Sheets <input]<br="" type="text" value="1"/> (2 copies required - 37 C.F.R. § 1.165(b))	7. <input type="checkbox"/> 37 C.F.R. §3.73(b) Statement <input type="checkbox"/> Power of Attorney (when there is an assignee)
4. Oath or Declaration [Total Pages <input <ul=""]="" type="text" value="2"/> a. <input checked="" type="checkbox"/> Newly executed (original or copy) b. <input type="checkbox"/> Copy from a prior application (37 C.F.R. § 1.63(d)) (for continuation/divisional with Box 15 completed) <ul style="list-style-type: none"> i. <input type="checkbox"/> DELETION OF INVENTOR(S) Signed statement attached deleting inventor(s) named in the prior application, see 37 C.F.R. §§ 1.63(d)(2) and 1.33(b). 	8. <input type="checkbox"/> English Translation Document (if applicable)
* NOTE FOR ITEMS 1 & 12: IN ORDER TO BE ENTITLED TO PAY SMALL ENTITY FEES, A SMALL ENTITY STATEMENT IS REQUIRED (37 C.F.R. § 1.27), EXCEPT IF ONE FILED IN A PRIOR APPLICATION IS RELIED UPON (37 C.F.R. § 1.28).	9. <input checked="" type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449 <input checked="" type="checkbox"/> Copies of IDS Citations
	10. <input type="checkbox"/> Preliminary Amendment
	11. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
	12. <input type="checkbox"/> * Small Entity Statement(s) <input type="checkbox"/> Statement filed in prior application, (PTO/SB/09-12) Status still proper and desired
	13. <input type="checkbox"/> Certified Copy of Priority Document(s) (if foreign priority is claimed)
	14. <input type="checkbox"/> Other:

15. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No: _____

Prior application information: Examiner _____ Group / Art Unit: _____

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 4b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

16. CORRESPONDENCE ADDRESS

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Signature	<i>Mark D. Miller</i>	Date	May 26, 2000

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

ASDOORIAN, ALAN et al.

Serial No. unknown

For: ISLAND PRINCE

Filed: May 26, 2000

Art Unit: unknown

Examiner: unknown

EL572269325US

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Signed:

um. awedol

Melissa R. Acevedo

1. Plant Patent Application Transmittal (PTO/SB/19) - 1 page;
2. Fee Transmittal for FY 2000 (PTO/SB/17) - 1 page;
3. Plant Patent Application (PTO/SB/03 & 02A) - 3 pages;
4. Abstract, Specification & Claim - 6 pages;
5. Color Photographs (2 identical copies) - 2 pages;
6. Statement Claiming Small Entity Status (PTO/SB/09) - 1 page;
7. Form PTO 1449 and attachments - 13 pages;
8. Check in the amount of \$240 (No. 33165); and
9. Return Post Card.

ABSTRACT

Prunus persica

A new and distinct variety of peach tree which is somewhat similar to the "Island King" peach tree (US Plant Pat. No. 9199) from which it is a sport, but from which it is distinguished by producing a later ripening fruit which are mature approximately ten to fourteen days after the fruit produced by the "Island King" peach tree.

BACKGROUND OF THE NEW VARIETY

The present invention refers to a new variety of peach tree which will hereinafter be denominated as the "Island Prince" peach tree which produces clingstone fruit which are mature for commercial harvesting and shipment approximately May 8-10 in a normal growing year in the San Joaquin Valley of Central California as an early fresh market peach with a good red blush coloration.

In the development of new commercial varieties of fruit specific characteristics places a premium on those varieties which are early or late maturing in the growing season. However, many such varieties have small size, lack of flavor, or coloration. In some instances there are other undesirable characteristics that decrease the commercial success. In order for a fruit to be a commercial success it must possess those characteristics of good size, good color, and good flavor. At the same time the date of maturity must be separate or different than other similar fruit. This new invention meets all of the aforementioned criteria and therefore is of commercial appeal to the consumer.

ORIGIN AND ASEXUAL REPRODUCTION OF THE NEW VARIETY

The present variety of peach tree was discovered by the inventor in his 4-acre orchard of "Island King" peach trees (Plant Patent 9199) which is located near Kingsburg, California. The inventor discovered it as a sport of the "Island King" peach tree in 1997. The new variety was first asexually reproduced by the inventor in 1997 by bud grafting two trees on Nemaguard Rootstock in the orchard of origin. The asexually reproduced trees first bore fruit of the new variety in May 1998. The inventor carefully compared the asexually reproduced trees with the parent sport, including the fruit thereof and the parent as well as the progeny are in all respects identical.

SUMMARY OF THE NEW VARIETY

The "Island Prince" peach is characterized by producing an extra large clingstone fruit which has good red blush coloration and is ripe for commercial harvesting and shipment approximately May 8 to May 10 in the San Joaquin Valley of Central California. The new variety is most similar to "Island King" peach tree (U.S. Plant Patent 9199) from which it is a sport but from which is distinguishable in that it ripens ten to fourteen days later than the fruit of "Island King" peach tree and in that the fruit is about one-third again larger in size than that of the "Island King" peach tree. The fruit of this new variety possesses a very good flavor as well as aroma which is greatly acceptable for an early ripening variety.

BRIEF DESCRIPTION OF THE DRAWING

The accompanying drawing is a color photograph showing fruit and foliage of the new variety. The view on the left side of the photograph displays a fruit cut in half showing the pit and the flesh on the upper half and the pit well and the flesh on the bottom half. In the center the fruit showing the stem end and the suture while on the upper right is a fruit showing a side view with the cheek surface and the fruit on the bottom right shows the stem end of the fruit. The top of the photograph shows the foliage typical of this variety of peach tree.

DETAILED DESCRIPTION

Referring more specifically to the pomological description of this new and distinct variety of peach tree, the following has been observed under the ecological conditions prevailing in the orchard of origin which is located near Kingsburg, California in the San Joaquin Valley of Central California. All major color code designations are by reference to the Dictionary of Color by Maerz & Paul, First Edition 1930. Common color names are also occasionally employed

TREE

Size: Tree is similar in size and growth habit to "Island King" Plant Patent 9199 - medium size for peaches.

Vigor: Moderate at 4th year of growth.

Figure (form): Upright and spreading with open vase system of training.
Productivity is very good for four year old tree.
Regularity of bearing appears to be regular.

Trunk Size: Medium (diameter 9", 10" above soil level) - moderately rough
Color - Page 52, Plate 15C6, Grey 31
Lentils - Oval form, medium, many and from 4-7mm (.16-28 inch) in length

Branches: Size - Medium
Surface texture - slightly rough
a. Mature - Sl. Rough
b. Immature - Smooth
Color Code (one year or older, Pg. 36, Pl. 7E10 Chestnut Brownstone
Color Code (immature), Pg. 60 Pl. 19 L6 Calliste Green

Three to four scaffold with lateral branches, at this stage of growth, being develop fruit wood and allow maximum sunlight for fruit colors. Diameter of scaffold branches taken at about two feet above soil level is five to six inches in circumference.

LEAVES

Size - Medium to large
Length - 155mm - 165mm (6.10-6.50 inch)
Width - 38mm - 41mm (1.50 - 1.61 inch)
Shape - Lanceolate, leaf tip acuminate
Color Code -
Upwardly disposed surface - Pg. 68, Pl. 23 J3 - Mt. Vernon Green
Downwardly disposed surface - Pg. 64, Pl. 21, I6 - Near Mignard Green
Marginal form - Crenate
Leaf Vein -
Color Code - Page 62, Pl. 20 K6 (Piquant Green)
Thickness - 1-1/2 mm (.06 inch)
Glandular characteristics - reniform - alternate and medium size
Petiole -
Size - Medium
Length - 10-11 mm (.37-.43 inch)
Thickness - 2mm (.08 inch)
Color Code - Page 62, Pl. 20K - (Piquant Green)

FLOWERS

Flower buds: Hardy under typical central San Joaquin Valley climate condition.

Size - dormant buds of average size.

Form - conic and slightly appressed to the bearing wood.

Bud scales:

Color - color 6C9 Medium brownish-gray and very pubescent on surface.

Generally - Showy type.

Date of Bloom: 5 - 10% as of Feb 24, 2000, 100% bloom on March 8, 2000, comparable to date of parent "Island King", pp#9199.

Size - generally medium to large.

Diameter - when fully expanded - .32mm (1.26 inch) to 40mm (1.51 inch).

Bloom quality - abundant.

Petals:

Size - medium to large

Length - 15 mm (.59 inch) to 18 mm (.71 inch).

Width - 12mm (.47 inch) to 15 mm (.59 inch).

Form - broadly ovate

Color - from light pink 1-C3 to 1-E2 with older petals.

Petal claws - broadly truncate

Width - 1 mm (.254 inch)

Length - 1.5 mm (.059 inch)

Petal margins - moderately undulated with somewhat rounded margins.

Flower pedicel: very short (2-3 mm) .079 inch - .12 inch.

Color - 19L6 Calliste Gr.

Surface - glabrous

Sepals:

Surface - pubescent

Size - medium to large

Form - broadly ovate

Color - maroon 7H4

Calyx:

Color green at base 18K7 and maroon near base of sepals 7 H4.

Anthers:

Size - average

Color - 5L3 - red near dianthe

On dorsal side and edges + 10F4

(Pale chamois) on ventral side

Stamen: 10-12 mm (.039 - .47 inch)

Filament: Color very light pink 1 D1

Pistil:

Length - average 18 mm

Color - 19D2 Seafoam green

Surface - Pubescent

FRUIT

Date of Maturity - May 8-10 in a normal year

Size -

Diameter Axial Plane - 73-83mm (2.87-3.27 inch with 64% of the larger size)

Transverse in Suture Plane - 62-67mm (2.44-2.67 inches)

Transverse at Rt. Angle to Suture Plane - 71-77mm (2.80-3.03 inches)

Form -

Uniform

Symmetrical or Asymmetrical - Shape of fruit is slightly asymmetrical

Suture - Shallow but with distinct yellow coloration from base to apex

Ventral Surface - uneven

Stem Cavity -

Width - 14-15mm (.55-.59 inch)

Depth - 9-10mm (.35-.39 inch)

Length - 16-18mm (.63-.71 inch)

Shape - Oval

Stem - Short

Caliper - 4-8mm (.16-.2 inch)

Apex - Sl. Rounded

Pistil Point - Oblique

Skin - Thickness normal for peach, sl. Pubescent

Texture - Firm

Tendency - None observed.

Color Code -

Blush Color - Pg. 36 Pl. 7 H6, Peony, Burmese Ruby

Ground Color - varies over 50% at axis, pg. 42, Pl 10, C4 Sunset

Flesh Color - Pg. 40 Pl. 9 J5 Jonquil

Color at Surface of Pit Cavity - Pg. 40 Pl. 9 J5

Color of Pit Well - Pg. 40 Pl. 9 J5

Juice Production - Moderate

Flavor - Very good to excellent

Aroma - Good

Texture - Firm

Fibers -

Number - Few

Texture - Firm

Ripening - Even

Eating Quality - Very good to excellent

Stone -

Attachment - Clingstone

Fibers - Numerous, Short, Sl. Thick

Size - Medium

Length - 35-40mm (1.38-1.5 inch)

Width - 26-28mm (1.02-1.1 inch)

Thickness - 18-20mm (.71-.74 inch)

Form - Ovate

Apex - Sharply acute

Color Code Dry - Pg. 48, Pl. 38 E8 Near Toast

Base - Sl. Rounded

Sides - Unequal

Ridges - On both sides of stone with ventral edge relatively narrow

Tendency to split - only one in six fruit had split pits. None evident externally

Use - Fresh Market

The above description of this new variety of peach tree is based on the growing conditions prevailing near Kingsburg, California in the Central San Joaquin Valley of California, variations of the usual magnitude and characteristics may occur due to change in cultural factors, including irrigation, fertilization, primary climatic changes, etal.

Claim:

A new and distinct variety of peach tree as described and illustrated which is somewhat similar to "Island King" U.S. Pl. Patent 9199, from which is a bud sport but from which it is distinguished by producing fruit that ripens ten to fourteen days after "Island King," with good exterior coloration and very good eating quality which are mature for commercial harvesting and shipment approximately May 8 to 10 in a normal year.

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**PLANT PATENT
APPLICATION (35 U.S.C. 161)
DECLARATION
(37 CFR 1.63)**

☒ Declaration Submitted with Initial Filing **OR** ☐ Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16 (e)) required)

Attorney Docket Number	9197.01
First Named Inventor	Asdoorian, Alan R.
COMPLETE IF KNOWN	
Application Number	/
Filing Date	
Group Art Unit	
Examiner Name	

As a below named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the new and distinct variety of.

peach

plant named: Island Prince

which is claimed and for which a plant patent is sought, the specification of which

☒ is attached hereto **OR** ☐ was filed on (MM/DD/YYYY) as United States

Application Number and was amended on (MM/DD/YYYY) (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claim, as amended by any amendment specifically referred to above.

I have asexually reproduced the plant to which this application applies.

☐ Said plant was found in a cultivated area (check this box for newly found plant only)

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Check Only If Priority Not Claimed	Certified Copy Attached? YES NO
			<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

I hereby claim the benefit under 35 U.S.C.119(e) of any United States provisional application(s) listed below.

Application Number(s)	Filing Date (MM/DD/YYYY)	<input type="checkbox"/> Additional provisional application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

[Page 1 of 2]

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DECLARATION – Plant Patent Application

I hereby claim the benefit under 35 U.S.C. 120 of any United States application(s), or 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. Parent Application or PCT Number	Parent Filing Date (MM/DD/YYYY)	Parent Patent Number (if applicable)

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As a named inventor, I hereby appoint the following registered practitioner(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

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OR

☒ Registered practitioner(s) name/registration number listed below

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Name	Registration Number	Name	Registration Number
Mark Daryl Miller	32,277		

☐ Additional registered practitioner(s) named on supplemental Registered Practitioner Information sheet PTO/SB/02C attached hereto.

Direct all correspondence to: ☐ Customer Number
or Bar Code Label

OR ☒ Correspondence address below

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City	Fresno	State	CA	ZIP	93704
Country	USA	Telephone	(559) 435-5500	Fax	(559) 435-1500

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Name of Sole or First Inventor:

☐ A petition has been filed for this unsigned inventor

Given Name (first and middle [if any])		Family Name or Surname					
Alan R.		Asdoorian					
Inventor's Signature	<i>Alan R. Asdoorian</i>				Date	5/23/2000	
Residence: City	Kingsburg	State	CA	Country	USA	Citizenship	USA
Post Office Address	522 6th Ave.						
Post Office Address							
City	Kingsburg	State	CA	ZIP	93631	Country	USA

☒ Additional inventors are being named on the 1 supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto.

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DECLARATION

ADDITIONAL INVENTOR(S) Supplemental Sheet

Page 1 of 1

Name of Additional Joint Inventor, if any:				<input type="checkbox"/> A petition has been filed for this unsigned inventor			
Given Name (first and middle [if any])				Family Name or Surname			
Lora A.				Asdoorian			
Inventor's Signature	<i>Lora A. Asdoorian</i>			Date		5/23/00	
Residence: City	Kingsburg	State	CA	Country	USA	Citizenship	USA
Post Office Address 522 6th Ave.							
Post Office Address							
City	Kingsburg	State	CA	ZIP	93631	Country	USA
Name of Additional Joint Inventor, if any:				<input type="checkbox"/> A petition has been filed for this unsigned inventor			
Given Name (first and middle [if any])				Family Name or Surname			
Inventor's Signature				Date			
Residence: City		State		Country		Citizenship	
Post Office Address							
Post Office Address							
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Name of Additional Joint Inventor, if any:				<input type="checkbox"/> A petition has been filed for this unsigned inventor			
Given Name (first and middle [if any])				Family Name or Surname			
Inventor's Signature				Date			
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